

House File 2477 - Introduced

HOUSE FILE 2477

BY ISENHART and RUFF

A BILL FOR

1 An Act relating to river restoration plans and reports.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 456A.33C River restoration plan
2 and report.

3 1. a. The department shall develop and annually update a
4 river restoration plan and report that shall be submitted to
5 the general assembly by January 1 of each year. The plan and
6 report shall include the department's plans and recommendations
7 for river restoration projects to receive funding consistent
8 with the process and criteria provided in this section, and
9 shall include the department's assessment of the progress and
10 results of projects funded pursuant to the recommendations.

11 b. The department shall recommend funding for river
12 restoration projects that are designed to achieve the following
13 goals:

14 (1) Ensure a cost-effective, positive return on investment
15 for the citizens of Iowa.

16 (2) Ensure local community commitment to river and
17 watershed protection.

18 (3) Ensure significant improvement in water quality and
19 safety.

20 (4) Provide for a sustainable, healthy, functioning river
21 system including wildlife habitat and improved flood control.

22 (5) Result in the removal of the river from any impaired
23 waters list maintained by the department pursuant to section
24 455B.195.

25 (6) Where feasible, provide for increased public access and
26 enjoyment.

27 2. The process and criteria the department shall use to
28 recommend funding for river restoration projects shall include
29 the following:

30 a. The department shall solicit recommendations from
31 stakeholder groups and develop an initial list of not more than
32 twelve rivers or river segments to be considered for funding
33 based on the necessity and feasibility of restoring each river
34 or river segment and the use or potential use of the river
35 or river segment, if restored. The list may include river

1 projects under active development that the department shall
2 recommend be given priority for funding so long as progress
3 toward completion of the projects remains consistent with the
4 goals of this section.

5 *b.* The department shall schedule public meetings with
6 watershed management authorities established for the rivers
7 and river segments on the initial list to provide an initial
8 assessment and to explain the process and criteria for
9 receiving river restoration funding. The department shall work
10 with representatives of each watershed management authority to
11 develop a joint river restoration action plan. At a minimum,
12 each joint action plan shall document the causes, sources, and
13 magnitude of river degradation and impairment, evaluate the
14 feasibility of the river and watershed restoration options,
15 establish water quality goals and a schedule for attainment,
16 assess the economic benefits of the plan, identify the sources
17 and amounts of any leveraged funds, and describe the local
18 commitment to the plan, including local funding.

19 *c.* Each joint river restoration action plan shall comply
20 with the following guidelines:

21 (1) Biologic controls shall be utilized to the maximum
22 extent, wherever possible.

23 (2) The costs of river restoration shall include the
24 maintenance costs of improvements to the river.

25 (3) Sediment, phosphorus, nitrogen, bacteria, and other
26 pollutants delivered to the river from the watershed shall
27 be identified and a plan to address such hazards shall be
28 developed before river restoration begins. In conjunction
29 with in-river management, river loads shall meet or exceed the
30 following water quality targets:

31 (a) A diverse, balanced, and sustainable aquatic community
32 shall be maintained.

33 (b) The water quality benefits from the restoration efforts
34 shall be sustained for at least fifty years.

35 (4) Practices including but not limited to river bank

1 stabilization, remeandering rivers, reshaping river banks,
2 improving river habitat, and modifying or removing old or
3 unused dams shall be considered in the development of a joint
4 river restoration action plan.

5 d. The department shall evaluate the joint action plans and
6 prioritize the plans based on the criteria described in this
7 section. The department's annual river restoration plan and
8 report shall include the prioritized list and the amounts of
9 state and other funding the department recommends for each
10 river restoration project. The department shall seek public
11 comment on its recommendations prior to submitting the plan and
12 report to the general assembly.

13 EXPLANATION

14 The inclusion of this explanation does not constitute agreement with
15 the explanation's substance by the members of the general assembly.

16 This bill relates to river restoration plans and reports.

17 The bill requires the department of natural resources to
18 develop and annually update a river restoration plan and report
19 that shall be submitted to the general assembly by January 1 of
20 each year. The plan and report shall include the department's
21 plans and recommendations for river restoration projects to
22 receive funding, and shall include the department's assessment
23 of the progress and results of projects funded pursuant to
24 these provisions.

25 The department is required to recommend funding for
26 river restoration projects that are designed to ensure
27 a cost-effective, positive return on investment for the
28 citizens of Iowa; ensure local community commitment to river
29 and watershed protection; ensure significant improvement in
30 water quality and safety; provide for a sustainable, healthy,
31 functioning river system including wildlife habitat and
32 improved flood control; result in the removal of the river
33 from any impaired waters list maintained by the department;
34 and, where feasible, provide for increased public access and
35 enjoyment.

1 The department is required to solicit recommendations
2 from stakeholder groups and develop an initial list of not
3 more than 12 rivers or river segments to be considered for
4 funding based on the necessity and feasibility of restoring
5 each river or river segment and the use or potential use of
6 the river or river segment, if restored. The department shall
7 schedule public meetings with watershed management authorities
8 established for the rivers and river segments on the
9 initial list to provide an initial assessment and to explain
10 the process and criteria for receiving river restoration
11 funding. The department shall work with representatives
12 of each watershed management authority to develop a joint
13 river restoration action plan. Each joint river restoration
14 action plan shall comply with certain listed guidelines. The
15 department shall evaluate the joint action plans and prioritize
16 the plans. The department's annual river restoration plan and
17 report shall include the prioritized list and the amounts of
18 state and other funding the department recommends for each
19 river restoration project. The department shall seek public
20 comment on its recommendations prior to submitting the plan and
21 report to the general assembly.